

# ACCESSORY STRUCTURE

## ORDINANCE #5825

Prepared by:

City of Las Vegas Planning and Development Department

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)



*The Las Vegas City Council approved habitable accessory structures in April 2006 to expand the community's housing options and affordability for renters and owners. Previously, ancillary dwellings were limited to casitas and guest houses without kitchens (non-habitable accessory structures).*

*Habitable accessory structures may be rented to another party so long as one of the dwelling units on the property is owner-occupied. The units must be aesthetically compatible with the main house and include one additional on-site parking space. Limited to half the size of the primary structure, they may not take up more than half of the rear yard. The use remains "single family" and the lot may not be subdivided nor may the unit be sold separately.*

*After meeting certain criteria and securing necessary approvals, homeowners will have the option of adding*



*such a dwelling, often referred to as a "granny flat," to their property.*

*The explanations and instructions provided within for habitable (page 2 & 3) and non-habitable accessory structures (back cover) offer guidance about what is required and the process one must follow to secure approvals and permits to add one to their property.*

# Habitable Accessory Structure

A Special Use Permit (SUP), a type of land use entitlement, is required for all habitable accessory structures. The application process begins at the Planning and Development Department's front counter at the Development Services Center (DSC) at 731 S. 4th Street, Las Vegas, Nevada 89101, (702) 229-6301.

The application is logged in at the Planning and Development front counter at the DSC and it is scheduled for a pre-application meeting and two public hearings, one with the Planning Commission and the second with the City Council.

## Criteria

- Full kitchen permitted.
  - An accessory structure must be aesthetically compatible with the main house.
  - The accessory structure cannot be built or moved onto any lot before construction of the main house unless a building permit has been issued for the construction of the main house.
  - The owner of the property must reside either in the main house or the accessory structure on premises.
  - The lot must be a minimum of 6,500 square feet.
  - The property must have a minimum of three unobstructed parking spaces.
  - The accessory unit can only have one kitchen and may have a 220 volt power supply, a ventilation hood or gas line.
  - The height must not exceed the height of the main house or 35 feet, whichever is less.
  - The total floor area can't exceed 50 percent of the floor area of the main house or exceed 50 percent of the rear lot coverage.
  - It must be at least 6 feet away from the main house.
  - It must be at least three feet from all property lines.
- If the property is adjacent to an alley, it can be located on the property line.
  - It is not permitted in the front yard unless:
    - \* The structure is a side-loaded garage which is used strictly as an ancillary use;
    - \* The garage conforms to the requirements and limitations applicable to a guest house/casita, as set forth in Sections 19.04.010 and 19.04.040
    - \* The front yard may not contain a guest house/casita.

At the pre-application meeting, staff from the departments of Building and Safety, Public Works and Planning and Development will evaluate your project and determine what area plans, codes, zoning, design standards, etc. apply to your property. They will give you a complete checklist of all the steps, documents and drawings you will need to make a complete application.

*Once your special use permit application is approved, you will also need to apply for a building permit through the Building and Safety Department also located at the Development Services Center.*



# Habitable Accessory Structure

The land use table for the Residential & Lodging element of the city's municipal code, Title 19, Chapter 4, Section 10, was amended to allow these structures in locations with the following zoning designations:

U	R-A	R-E	R-D	R-1
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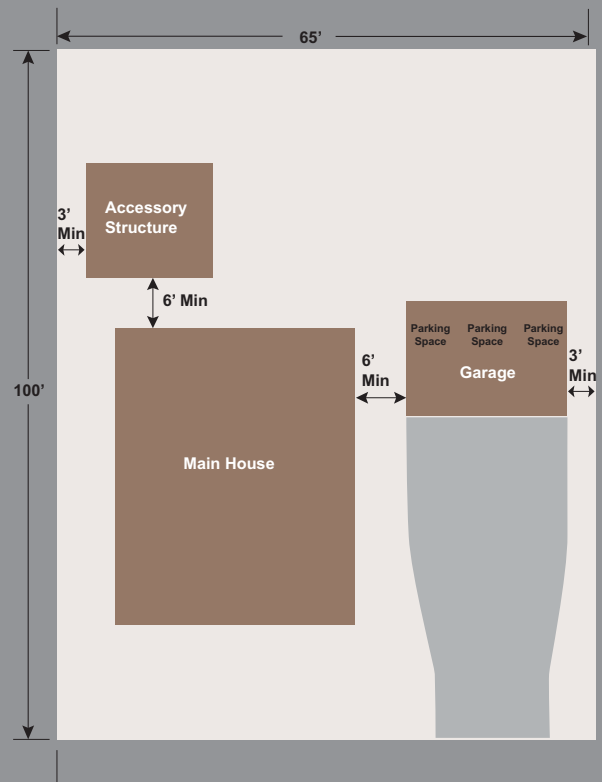
Title 19, Chapter 4 is available online at:

[http://www.lasvegasnevada.gov/files/Chapter\\_19.04.pdf](http://www.lasvegasnevada.gov/files/Chapter_19.04.pdf)

Special Use Permit	Yes *
Conditional Use	No
Minimum Lot Size	6,500 s.f.
Kitchen	Yes
Separation from Main House	6 feet
Rear Set Back	3 feet
Side Set Back	3 feet
3rd Parking Space Required	Yes

\* If the accessory structure does not also comply with Title 19.08 of the municipal code, then a Variance application is also needed.

## SITE REQUIREMENTS AND DIMENSIONS:



For more information visit [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov) or contact the Planning and Development Department at (702) 229-6301.

# Non-Habitable Accessory Structure

These units are permitted on any lot in any residential district provided it complies with Title 19.08 of the city's municipal code ([http://www.lasvegasnevada.gov/files/Chapter\\_19.08.pdf](http://www.lasvegasnevada.gov/files/Chapter_19.08.pdf)) and meets the following:

## Criteria

- The accessory structure cannot be built or moved onto any lot before construction of the main house unless a building permit has been issued for the construction of the main house.
- The height must not exceed the height of the main house or 35 feet, whichever is less.
- It cannot exceed the floor area of the main house constructed on the same lot.
- The ground floor total area will not cover more than 50 percent of the rear yard; unless otherwise specified in the zoning district in which the property is located.
- If located in the rear yards, excluding patio covers, it must be located at least 3 feet from the side and rear property lines and have a separation distance of at least 6 feet from the main house.
  - \* On corner lots, the roof of an accessory structure may be attached to the main house, if there is a minimum 6 feet separation between the walls of the accessory structure and the main house and at least two sides of the breezeway are open.
- \* A gate or fence with at least 50 percent open construction may be attached to one end of the breezeway.
- \* If located in the rear yard of corner lots, it can't be located closer to the side property line than that required for the main house.
- If located in the side yard area, excluding patio covers, it must be located a minimum distance of 3 feet from the side property line and must have a minimum of 6 feet separation from the main house.
- If the property is adjacent to an alley, it can be located on the property line.
- They are not allowed in front yards except if:
  - \* The structure is a side-loaded garage which is used strictly as an ancillary use.
  - \* The garage conforms to the requirements and limitations applicable to a guest house/casita in Sections 19.04.010 and 19.04.040 of Title 19.
- Structure may be attached or detached.
- No 220 volt power supply, ventilation hood or gas line.

These structures are allowed in locations with the following zoning designations as specified in the Residential & Lodging element of the city's municipal code Title 19, Chapter 4, Section 10 :

U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP
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Title 19, Chapter 4, Section 10 is available online at [http://www.lasvegasnevada.gov/files/Chapter\\_19.04.pdf](http://www.lasvegasnevada.gov/files/Chapter_19.04.pdf)

Special Use Permit	No *
Conditional Use	Yes
Minimum Lot Size	None
Kitchen	No
Separation from Main House	6 feet
Rear Set Back	3 feet **
Side Set Back	3 feet **
3rd Parking Space Required	No

*\* If the non-habitable accessory unit does not comply with 19.08, a Special Use Permit and a Variance application is needed for any development standards that are not in compliance.*

*\*\* If attached to main structure, setbacks for primary structure must be met.*